

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, OCTOBER 27 19 81

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING October 27 A.D., 19 81,
IN Regular SESSION. PRESIDENT John Nuckols
John H. Logan, Council Attorney
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,
PRESENT THE FOLLOWING MEMBERS _____ VIZ:

BURNS ✓, EISBART ✓, GiaQUINTA ✓,
NUCKOLS ✓, SCHMIDT, D. ✓, SCHMIDT, V. ✓,
SCHOMBURG ✓, STIER ✓, TALARICO ✓,
ABSENT _____

COUNCILMAN _____, _____, _____,
_____, _____, _____

THE INVOCATION WAS GIVEN BY Reverend Jesse White-

True Love Baptist Church

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF
_____, 19____. MOTION MADE AND CARRIED THAT REPORT BE MADE
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR October 13 81
_____, 19____,
_____, 19____,
SPECIAL _____, 19____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



The City of Fort Wayne

Office of the Mayor

October 15, 1981

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, October 15, 1981, I have approved the following ordinances passed by the Common Council at its regular meeting of October 13, 1981.

(Bill No. S-81-10-02)
SPECIAL ORDINANCE NO. S-216-81

AN ORDINANCE to provide an alternative dumpster method of solid waste collection for multi-family units in the City of Fort Wayne and to establish a credit to be paid by the City of Fort Wayne for those multi-family units utilizing said alternative method in lieu of utilizing the solid waste collection services rendered by the City of Fort Wayne for other residences

(Bill No. S-81-09-16)
SPECIAL ORDINANCE NO. S-217-81

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$920,000 AGGREGATE PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS (ALLEN COUNTY AGGREGATES, INC. PROJECT) OF THE CITY OF FORT WAYNE, INDIANA, THE PROCEEDS OF WHICH SHALL BE LOANED TO ALLEN COUNTY AGGREGATES, INC. TO ASSIST IN THE FINANCING OF AN ECONOMIC DEVELOPMENT FACILITY: PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS: AUTHORIZING A LOAN AGREEMENT, TRUST INDENTURE, BOND PURCHASE AGREEMENT AND ASSIGNMENTS APPROPRIATE FOR THE PURCHASE AGREEMENT AND ASSIGNMENTS APPROPRIATE FOR THE PROTECTION AND DISPOSITION OF SUCH REVENUES AND TO FURTHER SECURE SUCH BONDS: AND AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS

(Bill No. S-81-09-17)
SPECIAL ORDINANCE NO. S-218-81

AN ORDINANCE AUTHORIZING THE CITY OF FORT WAYNE, TO ISSUE ITS "ECONOMIC DEVELOPMENT FIRST MORTGAGE REVENUE BONDS, SERIES 1981 (PRT CORP. PROJECT)" AND APPROVING OTHER ACTIONS IN RESPECT THERETO

(Bill No. S-81-09-19)
SPECIAL ORDINANCE NO. S-219-81

AN ORDINANCE approving contracts between the City of Fort Wayne, Indiana and T & F Construction Corporation and the City of Fort Wayne, Indiana and Brooks Construction Co., Inc. for electrical, landscaping and general contracting

(Bill No. R-81-10-08)
RESOLUTION NO. R-69-81

A RESOLUTION authorizing the transfer of funds from Account No. 402-010-007-4230 "Instruction" to Account No. 402-010-007-4321 "Gasoline" in the 1981 Budget of Weights and Measurers Department

(Bill No. R-81-10-09)
RESOLUTION NO. R-70-81

A RESOLUTION authorizing the transfer of funds from Account No. 402-010-003-4521 "Machine Rental" to Account Nos. 402-010-003-4212 "Postage", 402-010-003-4214 "Telephone", and 402-010-003-4362, "Stationery & Printing" in the 1981 Budget of the Purchasing Department

(Bill No. R-81-10-10)
RESOLUTION NO. R-71-81

A RESOLUTION authorizing the transfer of funds from Account No. 402-010-017-4220 "Utilities" to Account No. 402-010-017-4332 "Medical Supplies" in the 1981 Budget of the Humane Shelter

(Bill No. R-81-10-11)
RESOLUTION NO. R-72-81

A RESOLUTION authorizing an appeal from the tax levy limitation established under I.C. 6-3.5-1-3 and for an excessive levy

(Bill No. R-81-10-12)
(as amended)
RESOLUTION NO. R-73-81

A RESOLUTION authorizing an appeal from the budget and tax rates and levies fixed by Allen County Tax Adjustment Board

(Bill No. R-81-10-13)
RESOLUTION NO. R-74-81

A RESOLUTION authorizing the transfer of funds from Account No. 4-02-128-128-4252 "Repairs-Equipment" to Account No. 4-02-128-128-4430 "Repair Parts" in the 1981 Budget of the Street Department

(Bill No. R-81-10-24)
RESOLUTION NO. R-78-81

A RESOLUTION supporting the health protection purposes of the Federal Clean Air Act

(Bill No. Z-81-08-11)
ZONING MAP ORDINANCE NO. Z-31-81

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-14

(Bill No. G-81-03-38)
GENERAL ORDINANCE NO. G-17-81

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of an alley

(Bill No. G-81-07-18)
(as amended)
GENERAL ORDINANCE NO. G-18-81

AN ORDINANCE amending the Thoroughfare Plan of the City Comprehensive ("Master") Plan by vacating a portion of an alley

(Bill No. G-81-09-26)
GENERAL ORDINANCE NO. G-19-81

AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

(Bill No. G-81-09-27)
GENERAL ORDINANCE NO. G-20-81

AN ORDINANCE amending certain Sections of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

(Bill No. G-81-09-28)

AN ORDINANCE regulating "Prior Approvals"

(Bill No. R-81-06-19)

DECLARATORY RESOLUTION NO. R-75-81

A DECLARATORY RESOLUTION designating an "Urban Development Area" under I.C. 6-1.1-12.1

(Bill No. R-81-10-25)

RESOLUTION NO. R-79-81

A RESOLUTION IN SUPPORT OF EQUAL ACCESS TO JUSTICE AND FOR THE REAUTHORIZATION OF THE LEAGL SERVICES CORPORATION ACT

(Bill No. S-81-09-31)

SPECIAL ORDINANCE NO. S-220-81

AN ORDINANCE approving a contract for Curb, Sidewalk and Drive Approaches Improvement Resolution Number 5917-81, between the City of Fort Wayne, Indiana, and Gateway Construction Company, for construction of new curbs and sidewalks and also drive approaches

(Bill No. S-81-09-32)

SPECIAL ORDINANCE NO. S-221-81

AN ORDINANCE approving a contract for Resurfacing and Restoring Pavement Resolution Number 5918-81, between the City of Fort Wayne, Indiana, and Dailey Asphalt Products Co., Inc. for resurfacing and restoring

(Bill No. S-81-09-33)

(as amended)

SPECIAL ORDINANCE NO. S-223-81

AN ORDINANCE approving City Utilities Purchase Order Nos. A-9554 and A-9555 with I.B.M. for the monthly rental and lease of equipment

(Bill No. X-81-07-50)

ANNEXATION ORDINANCE NO. X-06-81)

AN ORDINANCE annexing certain territory, commonly known as the Keller Road Area, to Fort Wayne, In. and including the same in Councilmanic District No. 4

(Bill No. R-81-07-51)
RESOLUTION NO. R-76-81

A RESOLUTION of the Common Council setting forth the policy of the City in regard to the annexation of the Keller Road Area

(Bill No. R-81-09-34)
RESOLUTION NO. R-77-81

A RESOLUTION setting a time the Executive Department of the City of Fort Wayne, Indiana to present the Budget Estimates to the Common Council of the City of Fort Wayne, Indiana

Respectfully yours,

A handwritten signature in blue ink, appearing to read "Win Moses, Jr.", with a stylized flourish at the end.

Win Moses, Jr.
Mayor

October 26, 1981

City Plan Commission of the
City of Fort Wayne, Indiana
7th Floor, City-County Building
Fort Wayne, Indiana 46802

Re: Bill No. Z-81-07-36

Gentlemen:

Please be advised that the Common Council of the City of Fort Wayne, Indiana, at its Regular Session held on October 13, 1981, did reject Bill No. Z-81-07-36. The vote on this bill was five (5) ayes and four (4) nays.

Accordingly, in accordance with IC 18-7-4-510, there is returned herewith said bill for your further consideration.

The following consists of a written statement setting forth a summation of reasons given by those voting for rejection of said proposed Bill No. Z-81-07-36:

1. The community association involved has requested that the bill not be passed.
2. Oxford Street is a street in which there exists activity late in the evenings and the proposed zoning would permit the use of said premises for serving hot ham sandwiches. Since there is a liquor store nearby, there would be undue activity late in the evening.

It is respectfully requested that action be taken by your

City Plan Commission of the
City of Fort Wayne, Indiana
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commission as required under the provisions of IC 18-7-4-510.

Respectfully submitted,

John Nuckols

Common Council of the City
of Fort Wayne, Indiana

BY: John Nuckols, its President

Charles W. Westerman
ATTEST: Charles W. Westerman, Clerk
Common Council of the City
of Fort Wayne, Indiana

October , 1981

Received of Charles W. Westerman, Clerk of the Common Council
of the City of Fort Wayne, Indiana, the original of which is a
true and exact copy of Bill No. Z-81-07-36.

Gary Baeten

Gary Baeten
City Plan Commission of the City
of Fort Wayne, Indiana

*Opposing the sending back of the bill:
are Ben Cusack, Jane Stein, & Min Jantz.*

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 27th day of October, 1981 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19____.

Charles W. Westerman
City Clerk